

UNITED STATES DISTRICT COURT  
DISTRICT OF  
WESTERN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

JUL 29 2008

JAMES W. MCCORMACK, CLERK  
By: [Signature] DEP. CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRI LYNN SHEPHERD,

Judgment Defendant,

TYSON FOODS,

Garnishee Defendant.

NO. 4:06CR00332-01 ~~GH~~ WRW

**AGREED FINAL ORDER IN GARNISHMENT**

The parties, the United States of America, plaintiff; the judgment defendant, Terri Lynn Shepherd; and the garnishee defendant, Tyson Foods, agree and stipulate as follows:

1. The judgment defendant's name is Terri Lynn Shepherd, her Social Security Number is XXX-XX-3572, and her last known address is: 3311 S. Main Street, Pine Bluff, Arkansas 71602.

A Judgment was entered against the judgment defendant, Terri Lynn Shepherd, in this action in the amount of \$12,472.00. The total balance due on the Judgment is \$11,533.00, as of June 11, 2008.

3. The garnishee defendant, Tyson Foods has, in its possession, custody or control, property of the judgment defendant in the form of wages paid to the judgment defendant, Terri Lynn Shepherd.

4. The judgment defendant, Terri Lynn Shepherd, waives service of an application for a writ of continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205, and further waives her right to a hearing under the section 3205 and any other process to which the judgment defendant may be entitled under the Federal Debt Collection Procedures Act of 1990.

5. The garnishee defendant, Tyson Foods, waives service of an application for a writ of continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205 and further waives its rights to answer and be heard in this matter and waives any other process to which the garnishee defendant may be entitled under the Federal Debt Collection Procedures Act of 1990.

6. The judgment defendant, Terri Lynn Shepherd, agrees and stipulates that her wages are subject to garnishment under section 3205 of the Federal Debt Collection Act, 28 U.S.C. § 3205 and expressly agrees and stipulates that the entry of a Final Order in Garnishment is proper.

7. The parties therefore agree and stipulate to the entry of a final order in garnishment against the non-exempt wages of the judgment defendant, Terri Lynn Shepherd. It is expressly agreed and stipulated to, by the parties, that the garnishee defendant, Tyson Foods, shall pay into the hands of the United States Attorney, at least monthly, the **lesser** of:

1. Ten percent (10%) of judgment defendant's disposable earnings; or
2. All amounts of judgment defendant's disposable earnings in excess of thirty times the federal minimum hourly wage.

See 15 U.S.C. § 1673(a)

To calculate disposable earnings, subtract the following from wages, commissions, and income:

1. Federal Income Tax
2. Federal Social Security Tax;
3. Arkansas Adjusted Gross Income Tax;
4. County Option Tax (if any).

8. The parties further agree and stipulate that these sums are to be applied upon the judgment rendered in this cause in the sum of \$12,472.00, upon which there is an unpaid balance of \$11,533.00 as of June 11, 2008. These deductions are to continue until the unpaid balance, is fully paid and satisfied.

Checks should be made payable to:

United States District Court

and mailed to:

600 West Capitol, Suite A149  
Little Rock, Arkansas 72201

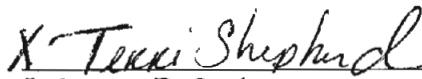
9. This order shall take effect after all prior orders in garnishment have been satisfied.

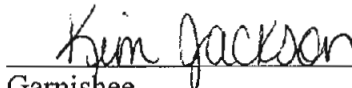
Respectfully submitted,

Jane W. Duke  
Acting United States Attorney


By:

  
Assistant United States Attorney

X   
Judgment Defendant

  
Garnishee

APPROVED AND SO ORDERED this 29<sup>th</sup> day of July, 2008.

  
Judge United States District Court

Copies to:

Stacey E. McCord  
Assistant United States Attorney  
P.O. Box 1229  
Little Rock, AR 72203

Terri Lynn Shepherd, Judgment Defendant  
3311 S. Main Street  
Pine Bluff, Arkansas 71602

Tyson Foods, Garnishee Defendant  
5505 Jefferson Parkway  
White Hall, Arkansas 71602  
ATTN: Tonya Jones  
Employment Manager